D.B.CIVIL WRIT PETITION N0. 1355/2007
Mohan Lal Daiya v. Union of India & anr.

Date of order : 10.04.2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE P.B.MAJMUDAR

Shri J.K.Chanda for the petitioner

This writ petition has been filed as a public interest litigation seeking direction to shift the Bhikamkor Railway Station to the abadi area. The railway station, it is said, is situated at a lonely place one kilometer away from the abadi area. Firstly, we do not think, distance of one kilometer can cause hardship to the passengers. More importantly, the question as to where railway station should be situated involves executive function which this Court would not like to indirectly perform while exercising power of judicial review under Article 226 of the Constitution of India.

The writ petition is accordingly dismissed in limine.

(P.B.MAJMUDAR) J. (S.N.JHA), C.J.

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